

City Council Meeting Minutes

**January 6, 2015
City Hall, Council Chambers
749 Main Street
7:00 PM**

Call to Order – Mayor Muckle called the meeting to order at 7:00 p.m.

Roll Call was taken and the following members were present:

City Council: *Mayor Robert Muckle, Mayor Pro Tem Hank Dalton.
City Council members: Chris Leh, Susan Loo,
Ashley Stolzmann, Jeff Lipton, and Jay Keaney*

Staff Present: *Heather Balser, Deputy City Manager
Kevin Watson, Finance Director
Troy Russ, Planning & Building Safety Director
Kurt Kowar, Public Works Director
Joe Stevens, Parks and Recreation Director
Dmitry Tepo, Water Resources Engineer
Nancy Varra, City Clerk*

Others Present: *Sam Light, City Attorney*

PLEDGE OF ALLEGIANCE

All rose for the pledge of agenda.

APPROVAL OF AGENDA

Mayor Muckle called for changes to the agenda.

MOTION: Mayor Muckle moved to approve the agenda, seconded by Council member Keaney. All were in favor.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Newly appointed Louisville Fire Protection District Chief John Willson introduced himself and stated he looks forward to attending City Council meetings on a quarterly basis and updating Council on the activities of the Fire District.

APPROVAL OF THE CONSENT AGENDA

Council member Lipton noticed at the Louisville Recreation Center, meeting agendas are posted after the check-in process. He suggested those postings be before the reception desk. Mayor Muckle agreed.

MOTION: Mayor Muckle moved to approve the consent agenda with Council Lipton's suggestion as an amendment, seconded by Mayor Pro Tem Dalton. All were in favor.

- A. *Approval of Bills***
- B. *Approval of Minutes – December 16, 2014***
- C. *Approval of Designation of Places for Posting Notices for Public Meetings***
- D. *Non-Profit Grant Program – Finance Committee Recommendations for 2015***

COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA

Council member Loo reported on the year's first meeting of the 36 Commuting Solutions. One of the guests at the meeting was Phil Washington, the General Manager and CEO of RTD. Mr. Washington was elected as the Chairperson of the American Public Transportation Association (APTA). Mr. Washington is supporting accelerating technological innovations and reported on the changing demographics of urban/city dwellers. He also reported on the lack of funding for transportation and the potential for public/private partnerships. He noted private corporations run into difficulties when dealing with 50 different states rules and regulations with respect to developing contracts. Mr. Washington will also focus on the lack of a skilled workforce, (mechanics and systems engineers) should funds be available. He is aware of the desire to have northwestern rail service, but there is no funding at this time.

CDOT spokesperson Amy Ford reported on the US 36 Project. Phase I of the project (Pecos to 88th Street) is 80 to 90% complete and will be finished by early summer of 2015. Phase II (88th Street to Table Mesa) is 40% complete and will be finished by the first quarter of 2016. The DDI project is part of Phase II and estimated to open in early 2016. US 36 will have Bus Rapid Transit, which will be called the Flatiron Flyer. The bus schedule will be frontloaded to establish a short wait time. Commuters who have transponders will have to change to a new type, which will allow them to use the HOV lanes. CDOT is proposing an intensive public education effort on the DDI. She recommended the public go to the CDOT or City website to view a video of the DDI.

Mayor Muckle commented former Louisville Mayor Chuck Sisk is on the RTD Board and was recently reappointed as Chairperson.

CITY MANAGER'S REPORT

Deputy City Manager Balser requested the Public Works Director and the Parks and Recreation Director provide an update on the recent snow removal efforts.

Public Works Director Kowar reported the past back-to-back snow storms produced record setting cold temperatures. Overall, the snow removal operations throughout the City have been successful, however there has been some feedback regarding how much snow remains on the main roads compared to other cities. The City's resources include an aged operation facility, which has a limited area for storing de-icing materials. During the recent snow storms, the City tried to manage the materials and ensure a sufficient supply for the next storm. He drove through the city and noted the road conditions were similar to those of other cities. Public Works will continue to work with the City Council and the community to ensure the level of service for roads is where it should be.

Parks and Recreation Director Stevens reported on the snow removal at public facilities and in public parks and trails. Overall, they were successful in removing snow within 24 hours. The Parks Division assumed snow removal in some transition areas, where maintenance has not been accepted by the City. One such area was Steel Ranch Park, which had some icing issues. Another issue was not completely clearing some sidewalks. He noted de-icing materials are reserved for the streets and with the continued snow it was difficult to keep up with the sidewalk snow removal, however, the sidewalks to the Library, City Hall, Recreation Center and Police Department were cleared. He complimented the Public Works Department for their cooperation. He noted there were a couple of broken waterline breaks, which took some crew members off snow removal and a funeral requiring the crew to clear snow from the cemetery road. He explained there is always confusion over whether it is a City maintained sidewalk or privately maintained. He requested the public call the Parks Division if a publicly maintained sidewalk has not been cleared. He reported the Parks Division cleared 20 miles of sidewalks, but noted they do not clear soft surface trails.

Mayor Muckle reported on walking his new dog on City sidewalks and trails and noted the sidewalks and trails were cleared of snow. He noted the City Council will further discuss snow removal at a study session. Deputy City Manager Balser stated this discussion has been scheduled for the January 27th study session.

REGULAR BUSINESS

DISTRIBUTION OF OPEN GOVERNMENT PAMPHLET

Mayor Muckle reported the Open Government Pamphlet is a summary of Articles 4 and 5 and other laws relating to citizen participation in municipal government. The pamphlet is distributed to each public body at its first meeting of the calendar year and is available to citizens on the City's web site, City Hall, City Library and other public places and at meetings of public bodies. The pamphlet was included in the City Council packet.

RESOLUTION No. 1, SERIES 2015 – A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE FOR AN ANNEXATION PETITION WITH THE CITY OF LOUISVILLE, COLORADO, KNOWN AS THE 245 NORTH 96TH STREET ANNEXATION – SET PUBLIC HEARING FOR 2/17/15

Mayor Muckle requested a staff presentation.

Planning and Building Safety Director Russ explained the Boulder County Housing Authority is petitioning the City to commence a voluntary annexation of 13.404 acres. The annexation petition was submitted by Boulder County for the property located at 245 North 96th Street. The resolution of substantial compliance represents the first step in the annexation process. Council must determine whether the annexation petition and map substantially comply with the statutory criteria for those documents. The staff and the City Attorney's office have reviewed the petition and map and find them to be in compliance with the statutory requirements.

Staff Recommendation: Staff recommended approval of Resolution 1, Series 2015, which finds substantial compliance for an annexation petition with the City of Louisville for 245 North 96th Street Annexation and sets a public hearing for February 17, 2015.

APPLICANT PRESENTATION

Norrie Boyd, Planning Division Manager, Boulder County Housing Authority (BCHA), voiced their excitement over this project. She addressed the 2012 Intergovernmental Government Agreement (IGA) with the City to take over and improve the existing Louisville Housing Authority properties. To date, they have invested over \$1.3 Million in rehabilitation of those properties. They also agreed to build 15 units of new affordable housing, which is included in this development proposal. She noted this is a top priority for the Boulder County Housing Authority and the Boulder County Commissioners. She complemented the City staff for their assistance in this process. The Boulder County Housing Authority is looking forward to the development of this project.

MOTION: Mayor Muckle moved to approve Resolution No. 1, Series 2015, and set the public hearing for February 17, 2015, seconded by Council member Keany. All were in favor.

UTILITY FUNDS FINANCIAL PLAN UPDATE

Mayor Muckle requested a staff presentation

Public Works Director Kowar provided an introduction for the next four agenda items. He explained for the last three years the City has been working on a Utility Funds Financial Plan to assess City facilities for wastewater, water and stormwater. The focus of the presentations would be for wastewater facilities. He updated the City Council on the various processes and multiple components of this project.

Staff and Raftelis Financial Consultants (RFC) conducted a utility rate study to calculate tap fees and utility rates the City's enterprise fund should be charging to fund operations, maintenance and capital improvements.

2013-2015 Impacts: Increase in project construction costs; better loan interest rate and issuance cost; timing of project cash flow requirements; 2013 Flood related impacts; updated Tap Fee revenues and projections and the 2015 approved budget.

2013 Task Force Study Recommendations - 2014 Activity Review:

- Updated Water and Sewer Tap Fees in 2014.
- Increased Water (2%), Sewer (27%), and Stormwater (30%) rates in 2014
- Began billing Parks for water usage (25% of actual cost)
- Adopted Reuse Water Rate
- Began Implementation of Wastewater Rate Structure from Flat Fee to Volume Based Fee.
- Discussed Water Budgets with City Council and Water Committee.
- Discussed implementation of Stormwater Tap Fee with City Council and Water Committee.

2013 Study Recommendations – Proposed 2015 Activities:

- Implement Cost of Service Adjustments for Residential and Non-Residential for Water and Wastewater Rates.
- Increased Water (27%) rates in 2014.
- Continue billing increase for Parks water usage (50% of actual costs).
- Continue staff analysis of Water Budgets.
- Continue analysis of Superior integration opportunities. (Not part of 2013 Study, but may benefit customer rates.)

2013 Study Recommendations – Cost of Service Adjustment:

- Residential Water increases by 32%.
- Non-Residential Water decreases by 27%.
- Residential Wastewater decreases by 13%
- Non-Residential Wastewater increases by 57%.

2013 Study vs 2014 Update – Utility Rate Increase Review:

| <u>Utility</u> | <u>Proposed Rate Revenue Increase</u> | | | | |
|----------------|---------------------------------------|-------------|-------------|-------------|-------------|
| | <u>2015</u> | <u>2016</u> | <u>2017</u> | <u>2018</u> | <u>2019</u> |
| Water | 0% | 11% | 11% | 0% | 0% |
| Wastewater | 27.0% | 20% | 4% | 0% | 0% |
| Stormwater | 0% | 12% | 1% | 0% | 0% |

Recommended Rate Increases:

| <u>Service</u> | <u>2014</u> | <u>2015</u> | <u>2016</u> | <u>2017</u> | <u>2018</u> | <u>2019</u> |
|----------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Water | \$12.32 | \$12.32 | \$13.68 | \$15.18 | \$15.18 | \$15.18 |
| Wastewater | 20.69 | 26.28 | 31.53 | 32.79 | 32.79 | 32.79 |
| Stormwater | 4.23 | 4.23 | 4.74 | 4.78 | 4.78 | 4.78 |
| Combined | \$37.24 | \$42.83 | \$49.94 | \$52.76 | \$52.78 | \$52.86 |
| Bill | | | | | | |
| % of Increase | -0- | 15.0% | 16.6% | 5.6% | 0.0% | 0.2% |

COUNCIL COMMENTS

Council member Stolzmann voiced her appreciation for all the work done on the Utility Funds Financial Plan and acknowledged the need to increase the rates. She did not agree with the fundamental assumption behind the cost of service adjustments for residential and non-residential use. She did not feel it addressed the underlining costs being driven by those two groups because the billing is set up to encourage more conservation on the residential side. She stated it is not consistent with the American Water Works Association manual. She did not favor water budgets or continuing to work on the concept. She addressed the stormwater proposal, which only takes 50 properties out of the floodplain at a cost of \$8.8 Million. She did not see a benefit of the project and favored delaying or discontinuing the project. She agreed the rate increases were necessary so the City is not growth dependent, but supported taking out any projects not necessary, to keep the water rates as low as possible.

Public Works Director Kowar stated the City is not required to do financial service adjustments or the stormwater project, but is required to do the wastewater project to meet future EPA permits.

Council member Lipton stressed the importance of explaining to the public the reason for the increases. He agreed they are long term investments the public should be required to pay for, but he would be more comfortable with smoothing out the increases over a period of time instead of frontloading them. He addressed the water budget concept and stated his understanding the City Council had directed staff not to work on this project.

Mayor Pro Tem Dalton also agreed the City Council directed staff not to proceed with the water budget concept.

Council member Leh agreed with the concept of smoothing out the rate increases over a period of time. He inquired what measures will be taken to assist residents who have financial difficulties in paying for the increases in the utility bills. Public Works Director Kowar stated there is currently not a financial assistance program for utilities, but it could be investigated and noted other cities have such programs. Council member Loo stated the Senior Foundation have funds to assist seniors with their utility bills.

PUBLIC COMMENT

Debby Fahey, 1118 W. Enclave Circle, Louisville, CO stated there are funds available for emergencies, however, most of the money raised by the Senior Foundation goes to Xcel Energy bills and cannot be used for other utilities. There are funds raised from other sources such as the silent auction, however, currently there is a deficit in that fund.

COUNCIL COMMENTS

Mayor Muckle also agreed with smoothing the increases over a period of time. He noted the Wastewater Treatment Facility is mandated for improvements. He supported the drainage project and felt it will be a valued activity. He stated a flood in the area would be devastating to those property owners. As to whether the projects should be shifted, he felt it would affect the funds available through Urban Drainage.

Public Works Director Kowar explained the stormwater project was an outcome of a 2011 study of the drainage on the eastern portion of the City. At the time, there was not any support from the City of Lafayette or Boulder County Open Space, but over the past few years the City has developed those partnerships. He felt Urban Drainage would be flexible and the project could be moved. The overall 50% increase in the residential rates is over a five-year period. He felt the project is beneficial and it is not a major impact to the utility bill. The wastewater treatment plant is the City's biggest impact and it will be difficult to smooth those rates. With respect to the intergenerational equity, he noted this is a 20-year loan.

Mayor Muckle requested staff take the Council's comments into account for the February 3, 2015 meeting. Public Works Director Kowar asked if staff provided enough data for the February 3rd meeting. Council members confirmed the data was sufficient.

WASTEWATER TREATMENT PLANT AND LAFAYETTE-LOUISVILLE BOUNDARY AREA DRAINAGE IMPROVEMENTS COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY PUBLIC MEETING FOR A STATE LOAN

Mayor Muckle requested a staff presentation

Public Works Director Kowar noted with respect to the utilities rate plan, an essential component is acquiring loans to build a \$30 Million wastewater treatment plant and for an \$8.5 Million stormwater project. The City staff has been working towards an application process for approval of low interest loans from the Colorado Water Resources and Power Development Authority (CWRPDA). A State Revolving Loan Fund requires a public meeting where the project is presented with 30-day notice of the public meeting. The public meeting is scheduled for February 17, 2015.

The Wastewater Treatment Plant, when upgraded, will meet Colorado Department of Public Health and Environment (CDPHE) permit requirements related to water quality limits and infrastructure redundancy requirements in 2017; the projected requirements for Nitrogen and Phosphorous in 2020, and upgrade the dilapidated condition of the existing WWTP processes. The existing wastewater treatment facility cannot meet those limits, but will be repurposed for administrative and staff purposes. Part of the CWRPDA application will be the wastewater treatment plant for \$25.8 Million and the second part is the flood plain improvements for \$8.8 Million. Portions of the project were eliminated, which brought down the cost and brought the partners in. Staff completed a 5-year financial plan to account for the debt service necessary to ensure the Wastewater Fund is sustainable. The debt service for the flood plain may be closer to \$6.5 Million, which will help reduce the rate increases.

The Boundary Area Drainage Improvements project would remove areas of Downtown, Highway 42 corridor, and the Wastewater Treatment Plant from the 100-year floodplain. As part of the design process there has been an environmental impacts study. This project would be done by the Urban Drainage and Flood Control District through the preferred contractors they use. The City would essentially pay them to build this project for \$38 Million.

COUNCIL COMMENT

Council member Stolzmann inquired if the City is applying for two loans. Public Works Director Kowar confirmed the City would be applying for two loans.

Council member Stolzmann commented the Council received proactive feedback from the public on previous rate increases. She requested staff explain the projects to the residents and notify them another rate increase is forthcoming. Public Works Director Kowar explained they began providing information on the 5-year plan and notice of the wastewater rates change in November.

Council member Stolzmann stated it would be more cost effective for the City to pay the property owners flood insurance than to take on this project. She noted these properties have always been in the flood plain. She did not feel it was fair for all the residents to pay for this project.

Council member Lipton voiced his appreciation for Council member Stolzmann's comments, but explained he saw a video about the floods and the impact to the first responders. He felt it is a life safety issue not only for individual properties, but from public spaces. He was not aware of the water depth of the flooding in this area, but felt this drainage project would assist first responders who must respond in cases of emergency.

Public Works Director Kowar stated he has not seen flooding in this area, but there are residents who have experienced flooding. In some areas there may be shallow flooding

(less than 1 foot) and in other areas the flooding may range from 2 to 4 feet. He stated east of Highway 42 there are very strong currents and local flows in the open space areas. He noted there are condos, homes and a school on the Lafayette side, which have seen some damaging flooding. In the downtown area, the water tends to pond, but they may have very strong undercurrent around the inlet areas.

Mayor Pro Tem Dalton agreed with Mayor Muckle that cities provide infrastructure to protect their residents' properties by eliminating flooding problems.

Public Works Director Kowar explained staff will proceed with the design and the loan applications. Within a month or two staff will present a loan agreement and a contract with Urban Drainage for Council consideration.

**CONSTRUCTION MANAGEMENT SERVICES AGREEMENT WITH
DEWBERRY ENGINEERS, INC. FOR WASTEWATER TREATMENT
FACILITY UPGRADES**

Mayor Muckle requested a staff presentation.

Public Works Director Kowar introduced the City's Water Resources Engineer Dmitry Tepo, who will be the Project Engineer for this project and Patrick Radebaugh representing Dewberry Engineers, Inc., who will provide the design and assist in the grant applications.

Water Resources Engineer Tepo explained before the City Council is a Construction Management Services Agreement with Dewberry Engineers, Inc., for Waste Water Treatment Facility upgrades. For the past year and a half, Dewberry and the City have been working on designing the upgrades to the Louisville Wastewater Treatment Plant. These upgrades are regulation driven by the Colorado Department of Public Health and Environment. Dewberry's scope of work for the current contract is for the design services only. Staff proposes another contract for bid phase services, construction management, as well as design of minor items relating to WWTP upgrades, not included in the original scope. Staff recommended the City Council contract with Dewberry for bid and construction phase services on sole source basis in the amount of \$1,557,080. Staff recommended sole source, rather than an open bid, based on the following:

- The design drawings and specifications were produced by Dewberry and Dewberry is in the best position to address contractor's questions and provide clarifications that will come up during bidding and construction.
- If a new firm is hired, the City could encounter liability issues during the construction and warranty periods of the WWTP upgrades. If warranty work is required, it will be difficult to identify the responsible party between the design consultant, construction management consultant, contractor, or the City.

- A new firm would not always be able to interpret the intent of drawings and specifications, as they did not produce the design.
- A new firm would require substantial time to review, validate assumptions, and confirm design directions for the City, recreating work that was previously performed by Dewberry and City staff.
- The timeline to advertise for and hire a new consultant, then bring that firm up to present knowledge would tighten the project timeframe. If major issues are then encountered during bidding or construction, the project may not be completed by CDPHE's deadline.

Water Resources Engineer Tepo explained the construction management costs are not driven by the engineering consultant but by the construction contractor. The construction management costs are for overseeing the contractor. If the contractor is performing well and on schedule the engineering company is able to keep the construction management cost down. He noted the reason construction management was not included in Dewberry's original design scope was because it was difficult to estimate the final number without a design. When Dewberry was awarded the Wastewater Treatment Master Plan in 2012, construction management was one of the items they were evaluated on.

Staff recommended the City Council award the Construction Management Service Agreement to Dewberry Engineers for \$1,557,080 and authorize staff to contract addenda up to \$45,000 for additional work and project contingency.

COUNCIL COMMENTS

Council member Loo voiced her appreciation for the additional information. She commented although she was not in favor of sole source contracts, she felt the additional information provided enough data for her to support the request.

Mayor Pro Tem Dalton noted Council has requested sole source justification be made in the Council communication. He felt it was not adequately done this time. He requested the City Manager ensure the necessary justification for sole source contractors are included in the City Council communication.

Council member Loo suggested in such cases the Water Committee review the sole source contract before it comes before Council.

Mayor Muckle agreed with the suggestion of boards or commissions reviewing sole source contractor requests. He shared the concern over sole source contracts, but observed in large project management in the last 5-10 years, it is more efficient to work through the entire project with a single contractor.

Council member Leh was satisfied with the information provided in the Council communication. Mayor Pro Tem Dalton agreed, but felt it should be provided upfront.

Council member Lipton commented he was satisfied with awarding the contract to Dewberry and recommended the Council move forward with staff's recommendation.

MOTION: Council member Lipton moved to approve the Construction Management Service Agreement with Dewberry Engineers, Inc., for Wastewater Treatment Facility Upgrades, seconded by Council member Loo. Roll call vote was taken. The motion passed by a vote of 7-0.

**RESOLUTION No. 2, SERIES 2015 – A RESOLUTION APPROVING A
FINAL PLAT, FINAL PLANNED UNIT DEVELOPMENT (PUD) AND
SPECIAL USE (SRU) FOR IMPROVEMENTS TO THE EXISTING
LOUISVILLE WASTE WATER TREATMENT FACILITY LOCATED
AT 1555 EMPIRE DRIVE**

Mayor Muckle requested a staff presentation

Planning and Building Safety Director Russ explained Resolution No. 2, Series 2015 recommends approval of a final plat, final Planned Unit Development (PUD) and Special Review Use (SRU) for improvements to the existing Louisville Waste Water Treatment Facility at 1555 Empire Drive.

The existing buildings contain: Administration Building; Reuse Filter and Supply Pump Station; UV Disinfection Building; Dewatering Facility; Headworks Building; RAS/WAS Building, Lab Building and Blower Building.

The existing Treatment Facilities contain: Clarifier; Digester; Sludge Drying Beds; Lagoon and Reuse Holding Pond.

The Site Plan: New Buildings include: Shop/Maintenance Building; New Headworks Building; Secondary Process Pump Station and New UV Building.

New Treatment Facility includes: Aeration Basin and three (3) Secondary Clarifiers.

Bike Path: Extension of crusher fines bike path on the north side of Empire Road.

Circulation: The existing roadway system will be extended and improved (asphalt). No public access to the street.

Parking: 18 spaces are proposed: 5 for the Lab building; 5 for the Administration offices and 8 for the shops. There are 5 employees at the Waste Water Treatment Plant.

Architecture: The proposed architecture will match the existing architecture (brick with metal trim and recessed metal windows). The lighting will match the existing style and be downcast.

Special Review Use: City Facilities are an allowed land use with a special review use permit. Staff believes the 5 criterion of the SRU have been met and recommended approval of the final Plat, PUD and SRU for the Louisville Waste Water Treatment

The Planning Commission reviewed this application and modified the recommendation of approval of the Final Plat, Final PUD and SRU. Staff recommended approval of Resolution No. 2, Series 2015 with the following conditions:

1. The applicant shall comply with the comment stated in the December 3, 2014 memo from Public Works prior to recordation.
2. The applicant shall place a landscaping buffer on the northern part of this property to buffer the expansion project from the property to the north.

Planning and Building Safety Director Russ explained the Planning Commission addressed the second condition due to the trail.

COUNCIL COMMENTS

Council member Stolzmann stated the plat is consistent with the comprehensive plan and the applicant demonstrated it meets the SRU criteria very well.

Council member Loo agreed with Council member Stolzmann's comments. She asked if the Horticulture and Forestry Advisory Board (HFAB) will have an opportunity to review the landscaping plan. Planning and Building Safety Director Russ stated the landscape plans would be submitted as part of the construction plans and the Parks Department and Engineering Division would review them.

Parks and Recreation Director Stevens explained it is a public project and the landscaping plans would be reviewed by HFAB.

Mayor Muckle supported a HFAB review. He inquired whether the brick building could be spruced up. Council member Stolzmann supported the use of brick as opposed to cinder block or corrugated steel.

MOTION: Council member Lipton moved to approve Resolution No. 2, Series 2015, with the two conditions, seconded by Council member Keany. All were in favor.

CONTRACT FOR FOOD AND BEVERAGE CONCESSION SERVICES AT COAL CREEK GOLF COURSE

Mayor Muckle requested a staff presentation

Parks and Recreation Director Stevens reviewed the Contract for Food and Beverage Concession Service at the Coal Creek Golf Course. The golf course is scheduled to open in 2015. Last year during the planning process there was discussion on whether

the food and beverage service should be done in-house or outsourced. Food and Beverage is not a very high revenue generator at the golf course, but is an essential service. Staff worked for six months on this project and searched the local community for perspective concessionaires. An advertisement to bid was posted and there was interest expressed by four vendors. Only two vendors bid on concession services, but one later withdrew. The Mine at Coal Creek Golf Course received unanimous approval from the seven member panel, who recommended the Director of Parks and Recreation draft an agreement for City Council consideration. The City Attorney's office assisted in drafting the agreement. The initial agreement is for four (4) years beginning in 2015 and may be extended for an additional three (3) year period.

Fiscal Impact: The Concessionaire will remit 5% of gross sales to the City except for sales tax and meals for their employees. It estimates \$400,000 in adjusted gross sales will generate approximately \$20,000 a year in revenue for the City (on a full year operation). The proposed agreement requires the City to buy back \$25,000 in equipment to be owned by the City. The City will agree to a cost not to exceed \$10,000 for minor remodeling subject to approval by the Director of Parks and Recreation. The vendor suggested a theme for the restaurant, which will be based on the City's history. The Golf Course Advisory Board will review the name Coal Creek and the mining history of Louisville to determine an appropriate theme for the restaurant. They will also review a signage program and an identity package. Staff recommended the City Council award a contract to The Mine at Coal Creek Golf.

PUBLIC COMMENT

Ken Gambon, 607 Augusta Drive, Louisville, CO, Chairperson for the Coal Creek Advisory Board stated he fully supports awarding the contract to The Mine. He explained he knows both of the principals from eating in their restaurants. He felt it would be the right choice for the golf course and the community.

COUNCIL COMMENTS

Council member Stolzmann referred to the contract concerning utilities and noted the concessionaire will be responsible for 75% of the water, gas, sewer, trash collection and recycling. She requested it also include composting. She noted other city facilities are required to compost such as the City Hall, Recreation Center and the Library. She felt the golf course clubhouse should also be required to compost.

PUBLIC COMMENT

Debby Fahey, 1118 Enclave Circle, Louisville, CO asked if the vendor will do catering for events such as wedding receptions. Mayor Muckle felt the vendor would be very interested in doing special venues. Parks and Recreation Director Stevens stated the City will get 5% of the proceeds of revenue of all the events.

MOTION: Mayor Muckle moved to approve the Contract for Food and Beverage concession Services at Coal Creek Golf Course, with the amendment to include composting, seconded by Mayor Pro Tem Dalton. Roll call vote was taken. The motion passed by a vote of 7-0.

ATTORNEY'S REPORT

City Attorney Light reported on an extension filed with the Public Utility Commission (PUC) relative to Burlington Northern Santa Fe (BNSF) Agreement on construction documents for the South Street Underpass. The City had hoped to have the agreement by the end of 2014, but had to file for an extension with the PUC. Hopefully the City will receive BNSF's comments on construction plans and the Underpass Agreement in order to file with the PUC. He reported sending Council an update on a litigation matter and inquired whether Council is receiving those confidential memos. He anticipated bringing forward a litigation matter for discussion on a strategy. There was Council confirmation of receipt of the confidential memos.

COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS

Mayor Muckle reported on the new Open Space/Trail Connection Map, which is available for the public at the City Hall, Recreation/Senior Center and the Library.

Council member Stolzmann reported a DRCOG Transportation Project meeting is scheduled this week and will establish three different scenarios for the second round of DRCOG TIP funding. Two scenarios are very good and will benefit the County as a whole, but unfortunately the City's project is not in either of those two scenarios. There will be discussion on how the different projects made the scenarios. Overall she felt it would be good for Boulder County and the region. She would continue to argue for inclusion of Louisville's project based on the criteria under equity areas, some last mile connections and leveraging of funds, which did not get the credit they deserved.

Council member Lipton commented on the January 13th Study Session Agenda Item - Budget Process Review. He requested a presentation on a bi-annual budget process. He inquired about the proper protocol, for Council to present information or materials on the 2016 budget and the proper way to distribute the information.

Mayor Muckle stated Council could submit materials to the staff, which would then be distributed to the entire Council in advance of the meeting. In terms of packet submittal, the materials must be submitted one week in advance of the meeting. Deputy City Manager Balser stated if Council has information they wish to share with the rest of the City Council, they should present them to staff to be included in the Friday packet. She noted an agenda item for the special meeting on February 10 is discussion of the 2016 goals. City Attorney Light reminded Council the charter requires agenda related materials be posted 72 hour notice prior to a public meeting.

Mayor Muckle requested any Council materials for the January 13th packet be submitted no later than Wednesday, January 7th.

Council member Lipton commented on the February 24th City Council study session agenda item for building permit process and the fees. He reported on public complaints relative to the fees and the timeframe for getting a permit, inspections and CO's. He suggested the Council set some goals and benchmarks against other cities to make sure the City is in line with the other communities. He requested discussion on the expansiveness on how things were done in the past and how they are done now and whether the International Building Code is inducing a workload on applicants and the staff and causing delays. He suggested perhaps the City is looking too much at what is prescribed in the building codes, which don't add value to the residents and cause delays.

Mayor Muckle agreed this should be part of a broader discussion. He supported setting bench marks to determine the cause of the delays, whether it be the process or technology.

Council member Keany felt there should be a quicker process for the smaller projects. He reported hearing comments that no matter the size of the project it takes three weeks to issue a building permit. He would like to see more customer friendly measures for small homeowner projects. He requested data on the turnaround time for small home projects, such as replacing a window or fence.

ADJOURN

MOTION: Council member Keany moved for adjournment, seconded by Mayor Muckle. All were in favor. The meeting adjourned at 8:55 p.m.

Robert P. Muckle, Mayor

Nancy Varra, City Clerk